

PANEL: LOUISVILLE METRO

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER 10TH FLOOR APPELLATE COURTROOM,
700 WEST JEFFERSON STREET, LOUISVILLE, KENTUCKY

DATE: June 09, 2004

09:30 AM

PJ: GUIDUGLI

JOHNSON

MINTON

2003CA000488

TRUMAN MONROE ET AL. VS SPENCER COUNTY, KENTUCKY ET AL.

COUNTY FISCAL COURT APPROVED ZONING CHANGE AFTER PLANNING COMMISSION RECOMMENDED TO DENY TO THE REQUEST. CIRCUIT COURT ENTERED SUMMARY JUDGMENT IN CIVIL ACTION THAT FOLLOWED.

CIVIL

SPENCER COUNTY

WILLIAM F STEWART

Appellant Atty:

Appellant Name:

.....
SEAY, JOHN D.

.....
ANNA RUTH CHEEK
DAN SUTHERLAND
DEBBIE GIBSON
ELLEN HOWERTON
EUELL HOWERTON
LARRY CHEEK
LINDA MONROE
SUE DUVALL SUTHERLAND
TRUMAN MONROE

Appellee Atty:

Appellee Name:

.....
BOUVETTE, LINDA
COOTS, ROBERT M

HOLLAN, RUTH ANN

.....
THE SEASONS, LLC
SPENCER COUNTY FISCAL COURT
SPENCER COUNTY, KENTUCKY
SPENCER COUNTY FISCAL COURT
SPENCER COUNTY, KENTUCKY

10:15 AM

PJ: GUIDUGLI

JOHNSON

MINTON

2003CA000864

JERRY LAWSON ET AL. VS KENTON COUNTY AIRPORT BOARD ET AL.

APPELLANT'S PROPERTY CONDEMNED. LAWSON CONTENDS BOONE COUNTY FISCAL COURT AND NOT KENTON COUNTY FISCAL COURT MUST INITIATE CONDEMNATION PROCEEDING.

CIVIL

BOONE COUNTY

JOSEPH F. BAMBERGER

Appellant Atty:

Appellant Name:

.....
NEACE, ROBERT D

.....
JERRY G. LAWSON
MARY F. LAWSON

Appellee Atty:

Appellee Name:

.....
BAKER, JOSEPH L.

PLEATMAN, DEBRA S.

.....
COUNTY OF KENTON, EX REL. KENTON COUNTY AIRPORT BOARD
KENTON COUNTY AIRPORT BOARD
COUNTY OF KENTON, EX REL. KENTON COUNTY AIRPORT BOARD
KENTON COUNTY AIRPORT BOARD

PANEL: LOUISVILLE METRO

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER 10TH FLOOR APPELLATE COURTROOM,
700 WEST JEFFERSON STREET, LOUISVILLE, KENTUCKY

DATE: June 09, 2004

11:00 AM PJ: GUIDUGLI JOHNSON MINTON
2003CA001134 ROBERT HARTLEY ET AL. VS GEICO CASUALTY COMPANY

APPEAL FROM SUMMARY JUDGMENT DISMISSING BAD FAITH CLAIM AND FROM AMOUNT OF ATTORNEY FEES AWARDED.

CIVIL MEADE COUNTY SAM H. MONARCH

Appellant Atty:

Appellant Name:

.....
DESKINS, WESLEY BRIAN

.....
BRENDA MITCHUM

ROBERT E. HARTLEY

MEHR, M. AUSTIN

BRENDA MITCHUM

ROBERT E. HARTLEY

Appellee Atty:

Appellee Name:

.....
BENTLEY, PERRY M.

.....
GEICO CASUALTY COMPANY

FERGUSON, LUCY ANNE

GEICO CASUALTY COMPANY

RAINE JR, J D

GEICO CASUALTY COMPANY

01:30 PM PJ: GUIDUGLI JOHNSON MINTON
2003CA001432 COMMONWEALTH OF KENTUCKY VS MICHAEL JAMES

APPEAL FROM DISMISSAL OF TWO INDICTMENTS BASED ON FINDING OF PROSECUTORIAL MISCONDUCT.

CRIMINAL JEFFERSON COUNTY DENISE CLAYTON

Appellant Atty:

Appellant Name:

.....
ANDERSON, JEANNE D.

.....
COMMONWEALTH OF KENTUCKY

STUMBO, GREGORY D.

COMMONWEALTH OF KENTUCKY

Appellee Atty:

Appellee Name:

.....
DENISON, TIMOTHY

.....
MICHAEL JAMES

02:15 PM PJ: GUIDUGLI JOHNSON MINTON
2003CA000124 KENNETH BAKER ET AL. VS RICHARD SHAPERO ET AL.

2003CA000139 \$25,000 ATTORNEY LIEN DISPUTE

CIVIL JEFFERSON COUNTY JUDITH E MCDONALD-BUR

Appellant Atty:

Appellant Name:

.....
BAKER, KENNETH H.

.....
KENNETH H. BAKER

WO SIN CHIU

Appellee Atty:

Appellee Name:

.....
OSTERMILLER, PETER L.

.....
CARL FREDERICK

RICHARD SHAPERO

PANEL: LOUISVILLE METRO

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER 10TH FLOOR APPELLATE COURTROOM,
700 WEST JEFFERSON STREET, LOUISVILLE, KENTUCKY

DATE: June 09, 2004

03:00 PM

PJ: JOHNSON

GUIDUGLI

MINTON

2003CA001681

COMMONWEALTH OF KENTUCKY VS DEMARCUS COLEMAN

WHETHER THE TRIAL COURT ERRED BY SUPPRESSING EVIDENCE FOLLOWING THE WARRANTLESS SEARCH OF
THE APPELLEE ON THE GROUNDS THAT THE PLAIN FEEL REQUIREMENTS WERE NOT MET.

CRIMINAL

JEFFERSON COUNTY

F KENNETH CONLIFFE

Appellant Atty:

Appellant Name:

.....
ANDERSON, JEANNE D.

.....
COMMONWEALTH OF KENTUCKY

Appellee Atty:

Appellee Name:

.....
DRABENSTADT, SCOTT

.....
DEMARCUS COLEMAN

03:45 PM

PJ: JOHNSON

GUIDUGLI

MINTON

2003CA001499

COMMONWEALTH OF KENTUCKY VS LAVELLE NEAL

WHETHER THE TRIAL COURT ERRED BY SUPPRESSING EVIDENCE FOLLOWING THE WARRANTLESS SEARCH OF
THE APPELLEE ON THE GROUNDS THAT THE PLAIN FEEL REQUIREMENTS WERE NOT MET.

CRIMINAL

JEFFERSON COUNTY

BARRY WILLETT

Appellant Atty:

Appellant Name:

.....
STUMBO, GREGORY D.

.....
COMMONWEALTH OF KENTUCKY

YOUNG, TERESA

COMMONWEALTH OF KENTUCKY

Appellee Atty:

Appellee Name:

.....
RECEVEUR, RICHARD L

.....
LAVELLE NEAL

PANEL: LOUISVILLE METRO

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER 10TH FLOOR APPELLATE COURTROOM,
700 WEST JEFFERSON STREET, LOUISVILLE, KENTUCKY

DATE: June 10, 2004

09:30 AM PJ: MINTON GUIDUGLI JOHNSON
2003CA000074 MARTINGALE, LLC VS COMMONWEALTH OF KENTUCKY ET AL.

APPEAL FROM CONDEMNATION ACTION WHICH RULED THAT CITY OF LOUISVILLE HAD THE RIGHT TO CONDEMN THE APPELLANTS' PERSONAL PROPERTY AND FRANCHISE INTERESTS IN THE BIG FOUR BRIDGE SPANNING THE OHIO RIVER.

CIVIL JEFFERSON COUNTY THOMAS J KNOPF

Appellant Atty:

Appellant Name:

.....
COX, DONALD L.

.....
MARTINGALE, LLC

MOONEY, WILLIAM H.

MARTINGALE, LLC

Appellee Atty:

Appellee Name:

.....
ABERAMSON, JERRY

.....
COMMONWEALTH OF KENTUCKY

BREETZ, BETHANY A

CITY OF LOUISVILLE

MORRIS, J DAVID

CITY OF LOUISVILLE

MUSSLER JR., THEODORE L.

BRIDGE THE GAP, INC.

STONE, WILLIAM C.

CITY OF LOUISVILLE

WILLIAMSON, JAMES R

CITY OF LOUISVILLE

10:15 AM PJ: JOHNSON GUIDUGLI MINTON
2003CA001366 TIFFANIE EDWARDS VS AMANDA CARLISLE ET AL.

WHETHER THE TRIAL COURT ERRED BY DENYING APPELLANT UNDERINSURED COVERAGE UNDER HER OWN POLICY.

CIVIL JEFFERSON COUNTY STEPHEN K MERSHON

Appellant Atty:

Appellant Name:

.....
KELLEY, PAUL JASON

.....
TIFFANIE EDWARDS

SALES, KENNETH L.

TIFFANIE EDWARDS

Appellee Atty:

Appellee Name:

.....
BOWMAN, WILLIAM S.

.....
AMANDA CARLISLE

DEEP, W. MITCHELL

SHELTER INSURANCE COMPANIES

PHILLIPS, S ALBERT

AMANDA CARLISLE

RAINE JR, J D

BECKY LINDLE

WAYNE LINDLE

PANEL: LOUISVILLE METRO

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER 10TH FLOOR APPELLATE COURTROOM,
700 WEST JEFFERSON STREET, LOUISVILLE, KENTUCKY

DATE: June 10, 2004

11:00 AM PJ: JOHNSON GUIDUGLI MINTON
2001CA001260 JOSEPH SOLOMON VS COMMONWEALTH OF KENTUCKY

WHETHER APPELLANT WAS WRONGLY CONVICTED DUE TO THE TRIAL COURT (1) FAILING TO INSTRUCT ON A UNANIMOUS VERDICT; (2) ALLOWING TESTIMONY CONCERNING THE APPELLANT'S SILENCE; (3) ALLOWING IMPROPER CONDUCT BY THE PROSECUTOR; (4) ALLOWING IMPROPER EXERCISE OF A PEREMPTORY JUROR CHALLENGE; AND (5) ALLOWING IMPROPER EVIDENCE.

CRIMINAL JEFFERSON COUNTY STEPHEN P RYAN

Appellant Atty:

Appellant Name:

.....
ARROWOOD, VICKIE MASDEN
STUTSMAN, DENNIS

.....
JOSEPH D. SOLOMON
JOSEPH D. SOLOMON

Appellee Atty:

Appellee Name:

.....
JUDY, BRIAN T.
STETLER, TAMI ALLEN

.....
COMMONWEALTH OF KENTUCKY
COMMONWEALTH OF KENTUCKY

02:15 PM PJ: JOHNSON GUIDUGLI MINTON
2003CA001110 ROE BRANHAM VS GREGORY NAZAR ET AL.

WHETHER THE TRIAL COURT ERRED BY NOT GRANTING APPELLANT A DIRECTED VERDICT AS TO LIABILITY IN A MEDICAL NEGLIGENCE CASE.

CIVIL JEFFERSON COUNTY STEPHEN K MERSHON

Appellant Atty:

Appellant Name:

.....
BURKE, KEVIN C.
FAULKNER, T. WESLEY

.....
ROE BRANHAM
ROE BRANHAM

Appellee Atty:

Appellee Name:

.....
EAST, MICHELLE

PALMER, CATHLEEN CHARTERS

TONER, GERALD R

.....
GREGORY B. NAZAR MD
GREGORY B. NAZAR PSC
GREGORY B. NAZAR MD
GREGORY B. NAZAR PSC
GREGORY B. NAZAR MD
GREGORY B. NAZAR PSC

PANEL: EAST/SOUTHEAST

LOCATION: CLARK COUNTY COURTHOUSE, CIRCUIT COURTROOM, 34 SOUTH MAIN STREET,
WINCHESTER, KENTUCKY

DATE: June 16, 2004

01:30 PM

PJ: SCHRODER

BARBER

KNOPF

2003CA001413

ROY CAMPBELL VS NATURAL RESOURCES AND ENVIRONMENTAL
PROTECTION CABINET

APPEAL OF A FINE FOR ALLEGED ILLEGAL SURFACE MINE. APPELLANT CLAIMS HE WAS BUILDING A ROAD
WHEN HE DISCOVERED THE PREVIOUSLY MINED COAL AND HE JUST MOVED THE PILE. THE CABINET HAD
PREVIOUSLY INSTALLED THE MOTION DETECTING CAMERAS TO WATCH THE COAL PILE. COAL ULTIMATELY
REBURIED.

CIVIL

PERRY COUNTY

DOUGLAS C COMBS JR

Appellant Atty:

Appellant Name:

.....
ALLEN, CHARLES E

.....
ROY CAMPBELL

Appellee Atty:

Appellee Name:

.....
SMOCK, JENNIFER CABLE

.....
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET

PANEL: NORTH/CENTRAL

LOCATION: WOODFORD COUNTY COURTHOUSE, CIRCUIT COURTROOM, 103 MAIN STREET,
VERSAILLES, KENTUCKY

DATE: June 07, 2004

10:30 AM PJ: BUCKINGHAM DYCHE TAYLOR
2003CA000563 EQUITY RESIDENTIAL PROPERTIES MANAGEMENT ET AL. VS LEXINGTON-
FAYETTE URBAN COUNTY HUMAN RIGHTS COMMISSION
2003CA000644 RACE/DISABILITY HOUSING DISCRIMINATION

CIVIL FAYETTE COUNTY GARY D PAYNE

Appellant Atty:

Appellant Name:

.....
HERKLOTZ, JOHANN F

.....
EQUITY RESIDENTIAL PROPERTIES MANAGEMENT
SONNET COVE APARTMENTS

SCHRADER, JOHN P

JOANNE JONES
JOANNE JONES
KIM SARTIPI
KIM SARTIPI

Appellee Atty:

Appellee Name:

.....
DOVE, EDWARD E.

.....
LEXINGTON-FAYETTE URBAN COUNTY HUMAN RIGHTS COMMISSION

11:15 AM PJ: BUCKINGHAM DYCHE TAYLOR
2003CA000769 RONNIE DEVARY ET AL. VS BETH STRAUB ET AL.
PHYSICAL THERAPY NEGLIGENCE

CIVIL FAYETTE COUNTY JOHN R ADAMS

Appellant Atty:

Appellant Name:

.....
HERREN, THOMAS K.

.....
KATRENA DEVARY
RONNIE DEVARY

Appellee Atty:

Appellee Name:

.....
KOLOKOWSKY, LYNN RIKHOFF

.....
BETH STRAUB
LEXINGTON PHYSICAL THERPY, INC.
BETH STRAUB
LEXINGTON PHYSICAL THERPY, INC.

PISACANO, MARGARET M

PANEL: NORTH/CENTRAL

LOCATION: WOODFORD COUNTY COURTHOUSE, CIRCUIT COURTROOM, 103 MAIN STREET,
VERSAILLES, KENTUCKY

DATE: June 07, 2004

01:30 PM PJ: DYCHE BUCKINGHAM TAYLOR
2002CA002118 HOME DEPOT U.S.A., INC. VS SAUL SUBSIDIARY I LIMITED PARTNERSHIP
2003CA001148 WHETHER TRIAL JUDGE SHOULD HAVE RECUSED HERSELF; WHETHER INJUNCTION WAS PROPER; WHETHER
PARTIES' REACHED SETTLEMENT AND IF SO, SHOULD IT BE ENFORCED

CIVIL FAYETTE COUNTY MARY C NOBLE

Appellant Atty:

Appellant Name:

.....
CHESNUT, ANNE A.

.....
HOME DEPOT U.S.A., INC.

Appellee Atty:

Appellee Name:

.....
LEAR JR, WILLIAM M
LOY, STEVEN B
WISEMAN, RENA

.....
SAUL SUBSIDIARY I LIMITED PARTNERSHIP
SAUL SUBSIDIARY I LIMITED PARTNERSHIP
SAUL SUBSIDIARY I LIMITED PARTNERSHIP

PANEL: NORTH/CENTRAL

LOCATION: 360 DEMOCRAT DRIVE, FRANKFORT, KENTUCKY

DATE: June 30, 2004

10:30 AM

PJ: SCHRODER

BARBER

VANMETER

2003CA001886

LIQUOR OUTLET, LLC VS ALCOHOLIC BEVERAGE CONTROL BOARD,
COMMONWEALTH OF KENTUCKY ET AL.

INTERPRETATION AND CONSTRUCTION OF KRS 244.290(3)(B) CONCERNING SUNDAY PACKAGE LIQUOR SALES
WHERE A CITY ORDINANCE ALLOWED SUCH.

CIVIL

FRANKLIN COUNTY

WILLIAM L GRAHAM

Appellant Atty:

Appellant Name:

.....
HANDMAKER, KENNETH S.

.....
LIQUOR OUTLET, LLC

Appellee Atty:

Appellee Name:

.....
HUMPHRESS, STEPHEN B.

.....
ALCOHOLIC BEVERAGE CONTROL BOARD, COMMONWEALTH OF
KENTUCKY
DEPT. OF ALCOHOLIC BEVERAGE CONTROL, COMMONWEALTH OF KY

****NOTE:JULY NORTH CENTRAL PANEL SCHEDULED ORAL ARGUMENT FOR JUNE 30**

PANEL: RESCHEDULED AND MISC. CASES

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM,
700 WEST JEFFERSON STREET, LOUISVILLE, KENTUCKY

DATE: June 08, 2004

01:30 PM PJ: MINTON BUCKINGHAM TAYLOR
2003CA001162 STANLEY MADDEN ET AL. VS CITY OF LOUISVILLE ET AL.

IF CONSTITUTIONAL CHALLENGE HAS BEEN PROPERLY PRESERVED, WHETHER CLAIMS AGAINST LOCAL
GOVERNMENT ACT IMPERMISSIBLY INFRINGES UPON JURAL RIGHTS.

CIVIL JEFFERSON COUNTY TOM MCDONALD

Appellant Atty:

Appellant Name:

.....
MILLER, CHARLES W

.....
BARBARA MADDEN
STANLEY MADDEN

Appellee Atty:

Appellee Name:

.....
GOWEN, GREGORY SCOTT
HALL, CARRIE PEARSON
SMITH, ILAM E
ZIELKE, LAURENCE

.....
CITY OF LOUISVILLE
CITY OF LOUISVILLE
LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT
LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

**NOTE:CONTINUED FROM MAY

02:15 PM PJ: COMBS EMBERTON TAYLOR
2003CA000356 DANIEL CALDWELL VS COMMONWEALTH OF KENTUCKY

CRIMINAL BELL COUNTY JAMES L BOWLING JR

Appellant Atty:

Appellant Name:

.....
CASE, MARGARET FOLEY
DILORETO, REBECCA BALLARD
LEWIS, ERWIN W.
MAURER, KAREN S.
STUTSMAN, DENNIS

.....
DANIEL LYNN CALDWELL
DANIEL LYNN CALDWELL
DANIEL LYNN CALDWELL
DANIEL LYNN CALDWELL
DANIEL LYNN CALDWELL

Appellee Atty:

Appellee Name:

.....
STUMBO, GREGORY D.

.....
COMMONWEALTH OF KENTUCKY

**NOTE:SHOW CAUSE HEARING AS TO WHY COUNSEL FOR APPELLANT SHOULD NOT BE
SANCTIONED.

PANEL: RESCHEDULED AND MISC. CASES

LOCATION: CLARK COUNTY COURTHOUSE, CIRCUIT COURTROOM, 34 SOUTH MAIN STREET,
WINCHESTER, KENTUCKY

DATE: June 16, 2004

09:45 AM PJ: COMBS TACKETT VANMETER
2003CA001062 JOYCE SNOW ET AL. VS WEST AMERICAN INSURANCE COMPANY
EXISTENCE OF INSURANCE COVERAGE FOR ACCIDENT INVOLVING DEATH OF A CHILD.

CIVIL FAYETTE COUNTY SHEILA R. ISAAC

Appellant Atty:

Appellant Name:

.....
CASEY, MICHAEL P.
COX, MICHAEL J
REDFORD, CARROLL M.

.....
ARTHUR WYDELL SNOW
JOYCE SNOW
JOYCE SNOW

Appellee Atty:

Appellee Name:

.....
HOOTS, DOUGLAS L

.....
WEST AMERICAN INSURANCE COMPANY

**NOTE:CONTINUED FROM MAY